



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
08/786,360	01/16/97	DELLACORTE	C LEW#16183-1

KENT N. STONE
N A S A LEWIS RESEARCH CENTER
21000 BROOKPARK ROAD
CLEVELAND, OHIO 44135

529

EXAMINER

ART UNIT	PAPER NUMBER
----------	--------------

1111

DATE MAILED: JUN 10 1997

JUN 10 1997

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

OFFICE ACTION SUMMARY

- ☐ Responsive to communication(s) filed on _____
- ☐ This action is FINAL.
- ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 D.C. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

- ☒ Claim(s) 1-17 is/are pending in the application.
- Of the above, claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 1-17 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
- ☐ received.
- ☐ received in Application No. (Series Code/Serial Number) _____
- ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

- ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- ☒ Notice of Reference Cited, PTO-892
- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s) _____
- ☐ Interview Summary, PTO-413
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Notice of Informal Patent Application, PTO-152

PLEASE SUBMIT AN OFFICIAL CHANGE OF ADDRESS

--SEE OFFICE ACTION ON THE FOLLOWING PAGES--

Art Unit: 1111

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. Claims 1-4 are rejected under 35 U.S.C. 112, first paragraph, because the specification, while being enabling for Group IA, Group IIA and rare earth fluorides, does not reasonably provide enablement for any other "metal fluorides", such as stannous fluoride. The specification does not enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention commensurate in scope with these claims.
2. Claims 1-4 and 12 are rejected under 35 U.S.C. 112, first paragraph, because the specification, while being enabling for the metal binder being a metal alloy containing Cr and at least one of Ni, Co or mixtures thereof, i.e., Ni-based superalloys and Co-based superalloys or mixtures thereof, does not reasonably provide enablement for any other "metal bonded chromium oxide". The specification does not enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention commensurate in scope with these claims.
3. Claims 1-4 are rejected under 35 U.S.C. 112, first paragraph, because the specification, while being enabling for the low temperature lubricating metals: Ag, Au, Pt, Pd, Rh and Cu, does not reasonably provide enablement for all low temperature lubricating metals. The specification

Art Unit: 1111

does not enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention commensurate in scope with these claims.

4. Claims 1-2, 4 and 12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1-2 are rejected because they lack proportions. In the absence of proportions, the metes and bounds of the claims cannot be determined.

In claims 2 and 12, does Applicant mean Groups IA and IIA or is he also including Groups IB and IIB? Clarification is required.

In claim 4, line 1, "a" should be deleted.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

6. Claims 1-17 are rejected under 35 U.S.C. 102(a) as being anticipated by Dellacorte and Fellenstein or Dellacorte and Laskowski.

Each reference teaches a composite solid lubricant coating, PS300, which comprises chrome oxide, silver and barium fluoride/calcium fluoride eutectic in NiCr binder. See Dellacorte

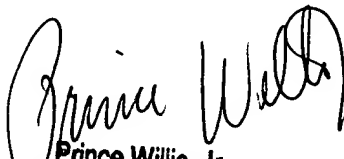
Art Unit: 1111

and Fellenstein's summary, experimental materials and Table I. See Dellacorte and Laskowski's experimental materials and specimen properties and Table I.

Accordingly, Dellacorte and Fellenstein or Dellacorte and Laskowski anticipate these claims.

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cephia Toomer whose telephone number is (703) 308-2509.


Prince Willis, Jr.
Supervisory Patent Examiner
Patent Examining Group 110

cdt/08786360.1

May 22, 1997